

Remarks

Claims 1-18, 21, and 25-30 are pending in the application. Claims 1, 10, 16, 18, 21, and 29-30 have been amended herein.

Applicants appreciate the Examiner's courtesy in providing a telephonic interview with Applicants' representatives on November 5, 2004. During the interview, the Examiner suggested that claims 1, 10, and 18 would be allowable if claims 1, 10, and 18 are rewritten in a form reciting "implementing (i) a first mode ... if the amplifier cannot switch ... , and (ii) a second mode ... if the amplifier can switch" Independent claims 1, 10, and 18 have been amended herein as suggested by the Examiner.

Favorable reconsideration of the application, as amended, is respectfully requested.

I. ALLOWABLE SUBJECT MATTER

Applicants acknowledge with appreciation the allowance of claims 27 and 28. For at least the following reasons, Applicants believe that other pending claims are also in condition for allowance.

II. REJECTIONS OF CLAIMS 16 AND 21 UNDER 35 U.S.C. § 112

Claims 16 and 21 stand rejected under 35 U.S.C. § 112, first paragraph. Claims 16 and 21 have been amended herein to address the Examiner's concerns. Support for the amendments is found at, for example, page 21, lines 6-7; and page 22, lines 9-12 of the present specification. No new matter has been introduced by the amendments. Withdrawal of the rejections is respectfully requested.

III. REJECTIONS OF CLAIMS 1-15, 17-18, 25-26, AND 29-30 UNDER 35 U.S.C. § 103

Claims 1-5, 8-15, 17-18, 25-26, and 29-30 stand rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,160,571 ("Wang"). Claims 6-7 stand rejected under 35 U.S.C. § 103(a) over a combination of Wang and U.S. Patent No. 6,307,597 ("Bowyer").

Independent claims 1, 10, and 18 have been amended herein as suggested by the Examiner during the above-identified telephonic interview. Specifically, claims 1, 10, and 18 have been rewritten in a form reciting "implementing (i) a first mode ... if the amplifier cannot switch ... , and (ii) a second mode ... if the amplifier can switch" Applicants believe this feature of the invention was implicitly recited in the previously presented claims. However, to expedite the prosecution, Applicants have herein amended these claims per based on the Examiner's comments during the interview. Therefore, it is noted that the claim scope has not

been narrowed by the amendments. Support for the amendments is found at, for example, page 21, lines 6-7, and lines 15-17 of the present specification. No new matter has been introduced by the amendments.

Also, throughout the claims, the term "data packet collisions" has been changed to "data loss," which is believed to be more general terminology. Support for the amendments is found at, for example, page 21, lines 9-12 of the specification. No new matter has been introduced by the amendments.

Applicants believe that amended independent claims 1, 10, and 18 contain a patentable subject matter. Therefore, independent claims 1, 10, and 18, and their dependent claims are believed to allowable over the cited art. Withdrawal of the rejections is respectfully requested.

IV. CONCLUSION

Applicants believe that all pending claims are in condition for allowance, and respectfully request a Notice of Allowance at an early date. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 510-843-6200, ext. 245.

Respectfully submitted,
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Limited Recognition under 37 CFR § 10.9(b)

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Expires: January 2, 2007



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